REMARKS

Entry of this Amendment and reconsideration are respectfully requested in view of the amendments made to the claims and for the remarks made herein.

Claims 1-7, 9, 11-13 and 15 are pending in the application and stand rejected.

Claim 1 has been amended.

Claims 1-7, 9-13 and 15 stand rejected under 35 USC §103(a) as being unpatentable over Sindhu (USP no. 5,440,698) in view of Foster (USP no. 6,202,007) and further in view of Denneau (USPPA 2003/00287247).

In supporting the continued rejection of the claims, the Office Action states that "[t]he claim specifically recites 'controlling at least a section of the local memory unit as a cache memory.' As local memory 19 is explicitly referred to as a cache memory on column 4, lines 45-51 of Sindhu, at least a portion of the local memory is controlled as a cache memory." In addition, the Office Action states "[t]hough Sindhu does not explicitly teach cache memory 16 or local memory 19 sharing data, Sindhu, at least teaches sharing data among each local memory 19. One of ordinary skill in the art would realize there would be no need for a broadcast write ... if only one copy of any data was kept in any of the local memories 19. And as the local memories 19 are referred to as 'cache memories' at least on Column 4, lines 30-54 ... and as controller 21a has been construed by the examiner as the 'master port' of the node (as all data going into or out of node 14 must go through controller 21 on Figure 1), local memory 19a reaches other local memories via master port 21a. Thus, the limitation of 'locally store a copy of data residing in other local memories reachable via a corresponding master port' is satisfied."

Applicant continues to respectfully disagree with and explicitly traverse the rejection of the claims and, repeats, as if in full, herein.

However, in order to advance the prosecution of this matter, applicant has

EXPEDITED PROCEDURE
ART GROUP 2185

Serial No. 10/570236
Attn. Docket no. NL031032US1

elected to amend the independent claim to further clarify the structure of the invention claimed to recite that master ports are associated with address ranges and that the memories are accessed concurrently based on the address range. No new matter has been added. Support for the amendment may be found at least on page 5, lines 21-26 ("[i]n case the memory means includes a plurality of memory sections, the acyclic graph structure can result in a set of master ports each providing a connection to a different memory section, in such a way that each data processing means can communicate to one or more memory section(s), thereby allowing multiple data processing means to access different memory sections concurrently, thereby reducing the bandwidth bottleneck.").

Assuming master port 21a of Sindhu is comparable to the master ports recited in the claims and that there is are master ports 21a for each controller 21, Sindhu cannot teach providing access, concurrently, to different memory sections based on an associated address, as is recited in the claims, as Sindhu fails to provide memory access based on address. Rather, Sindhu teaches that the address includes a device ID (see col. 12, lines 36-38-41 "...'DeviceID,' which is a unique identifier that each client device is assigned...'), the device ID provides direction to which device is to be accessed, even if the address range is divided between the main memory and the local memory.

Thus, even if the teachings of Forster and Denneau, which is referred to for teaching a global memory addressing scheme, were added to the device of Sindhu, the combination of Sindhu, Forster and Denneau fails to provide any motivation to utilize multiple master ports to concurrent access to different memory sections, as is recited in the claims. Rather, the device ID incorporated into the address provides for which of a plurality of master ports is to be accessed.

In order to establish a *prima facie* case of obviousness, three basic criteria must be met, 1. there must be some suggestion or motivation in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine the reference teachings, 2. there must be

a reasonable expectation of success; and 3. the prior art reference must teach or suggest all the claim limitations.

The Court in *KSR v. Teleflex* (citation omitted) has held that the teaching, suggestion and motivation test (TSM) is merely to be used as a helpful hint in determining obviousness and a bright light application of such a test is adverse to those factors for determining obviousness enumerated in *Graham v. John Deere* (citation omitted).

In this case, a *prima facie* case of obviousness has not been made as each of the elements recited in the claims is not disclosed by the combination of Sindhu, Foster and Denneau, as the combination of the cited references fails to teach all the elements recited in the claims.

For the amendments made to the independent claim and for the remarks made herein, applicant submits that the rejection of the independent claim 1 has been overcome and respectfully requests that the rejection be withdrawn.

With regard to the remaining claims, these claims depend from independent claim 1, which has been shown to include subject matter not disclosed by the combination of Sindhu, Foster and Denneau. Consequently, the remaining dependent claims are also not rendered obvious by Sindhu, Foster and Denneau as the remaining dependent claims also include subject matter not disclosed by the cited references.

For the amendments made to the claims and for the remarks made herein, applicant submits that all the objections and rejections have been overcome and that the claims are in a condition for allowance. Applicant respectfully requests that a Notice of Allowance be issued.

Applicant denies any statement, position or averment stated in the Office Action that is not specifically addressed by the foregoing. Any rejection and/or

EXPEDITED PROCEDURE
ART GROUP 2185

Serial No. 10/570236
Attn. Docket no. NL031032US1

points of argument not addressed are moot in view of the presented arguments and no arguments are waived and none of the statements and/or assertions made in the Office Action are conceded.

In this Amendment, applicant has amended claim 1. Applicant is not conceding that the subject matter encompassed by claims, prior to this Amendment is not patentable. Claim 1 was amended solely to facilitate expeditious prosecution of the patent application. Applicant respectfully reserves the right to pursue claims, including the subject matter encompassed by claims, as presented prior to this Amendment and additional claims in one or more continuing applications.

Should the Examiner believe that the disposition of any issues arising from this response may be best resolved by a telephone call, the Examiner is invited to contact applicant's representative at the telephone number listed below.

No fees are believed necessary for the timely filing of this paper.

Respectfully submitted,
Michael Belk, Reg. No. 33,357

Date: June 22, 2010

___/Carl A. Giordano/___
By: Carl A. Giordano
Attorney for Applicant
Registration No. 41,780

Mail all correspondence to:
Michael Belk, Esq.
US PHILIPS CORPORATION
P.O. Box 3001
Briarcliff Manor, NY 10510-8001
Phone: (914) 333-9643
Fax: (914) 332-0615